IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 811 of 1987

For Approval and Signature:

Hon'ble MR.JUSTICE K.M.MEHTA

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

RAM SHIP BREAKERS

Versus

METAL SCRAP TRADE CORPORATION LTD.

Appearance:

1. Special Civil Application No. 811 of 1987

MR JIVANLAL G SHAH for Petitioner No. 1

MR PC KAVINA for Respondent No. 1

M/S PURNANAND & CO for Respondent No. 2

MR PR NANAVATI for Respondent No. 2

MR. SOMPURA, AGP, for respondent No. 3

CORAM : MR.JUSTICE K.M.MEHTA

Date of decision: 06/03/2002

ORAL JUDGEMENT

Shri Ram Ship Breakers-petitioner has filed this

petition praying for a writ of mandamus or direction directing the respondents to register the claim of the petitioner to initial registration on the basis of the fact that the petitioner submitted an application on 11.8.1983 and also to introduce the name of the petitioner in the list of priority on the aforesaid basis. The petitioner has also prayed for an order directing respondent No. 2 to allot to the petitioner a plot at Alang out of the plots which were ready. The petitioner has also prayed for other reliefs.

2. This petition was filed on 25.2.1987. This court admitted the matter on 13.4.1987.

3. Mr. P.R. Nanavati, learned advocate, appeared on behalf of Gujarat Maritime Board. He has produced the Regulations called "The Gujarat Maritime Board (Conditions and Procedures for granting permission for utilising shipbreaking plots) Regulation, 1994. He has also produced Gujarat Maritime Board Act, 1981 and in exercise of powers conferred by Sections 37, 38, 39, 41 and 110 and other enabling provisions of the Gujarat Maritime Board Act, 1981, the Gujarat Maritime Board with the previous approval of the Government of Gujarat in Ports and Fisheries Department letter dated 15.6.1984 enacted the Regulation known as the Gujarat Maritime Board (Conditions and Procedures for granting permission for utilising shipbreaking plots) Regulation, 1994.

4. The learned counsel has stated that pursuant to the aforesaid Regulations, auctions have been held in 1994 for giving plots to the concerned persons. In view of this subsequent development, the grievance raised by the petitioner does not survive. The petition is rejected accordingly. Rule is discharged with no order as to costs.

(K.M. MEHTA, J)

(pkn)